

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

SCOTT TURNAGE, DEONTAE TATE, JEREMY S.)	
MELTON, ISSACCA POWELL, KEITH BURGESS,)	
TRAVIS BOYD, TERRENCE DRAIN and)	
KIMBERLY ALLEN on behalf of themselves and all)	
similarly situated persons,)	
)	
Plaintiffs,)	Civil Action No. 2:16-cv-02907-
)	SHM-tmp
v.)	
)	Jury Demanded
BILL OLDHAM, in his individual capacity as former)	
Sheriff of Shelby County, Tennessee; FLOYD BONNER,)	
JR., in his official capacity as Sheriff of Shelby County,)	
Tennessee; ROBERT MOORE, in his individual capacity)	
as former Jail Director of Shelby County, Tennessee;)	
KIRK FIELDS, in his official capacity as the Jail Director)	
of Shelby County, Tennessee; CHARLENE MCGHEE, in)	
her individual capacity as former Assistant Chief of Jail)	
Security of Shelby County, Tennessee; REGINALD)	
HUBBARD, in his official capacity as Assistant Chief of)	
Jail Security of Shelby County, Tennessee; DEBRA)	
HAMMONS, in her individual capacity as former Assistant)	
Chief of Jail Programs; TIFFANY WARD in her official)	
capacity as the Assistant Chief of Jail Programs of Shelby)	
County, Tennessee; SHELBY COUNTY, TENNESSEE,)	
a Tennessee municipality; TYLER TECHNOLOGIES,)	
INC., a foreign corporation; GLOBAL TEL*LINK)	
CORPORATION, a foreign corporation; SOFTWARE)	
AG USA, INC., a foreign corporation; SIERRA-CEDAR,)	
INC., a foreign corporation; SIERRA SYSTEMS GROUP,)	
INC., a foreign corporation, and TETRUS CORP, a foreign)	
Corporation,)	
)	
Defendants.)	

AGREED SUPPLEMENT TO JOINT MOTION FOR PRELIMINARY APPROVAL

On July 9, 2021, a hearing was held before the Court on the Parties' Joint Motion for Preliminary Approval of Class Settlement, Conditional Certification of the Settlement Class, Approval of the Proposed Notice of Settlement, and Class Action Settlement Procedures (ECF No. 369) ("Joint Motion for Preliminary Approval"). In accordance with the Court's instructions and by agreement of all Parties, the undersigned counsel hereby supplement the Joint Motion for Preliminary Approval and amend the Parties' Stipulation and Class Action Settlement Agreement and Release dated April 2, 2021 (ECF No.369-2) (the "Agreement") as follows:

1. The Settlement Class, as defined in Section 2.28 of the Agreement, shall only include those individuals who were arrested and detained at the Shelby County Jail between November 1, 2016 and March 21, 2021.
2. Notwithstanding the Parties' acknowledgement in Section 5.2 of the Agreement that direct mail notice to all potential Class Members is not practicable under the circumstances and that publication notice is reasonably calculated to apprise interested parties of the Settlement, the Administrator shall provide Class Notice by US Mail to the addresses of approximately 19,946 potential Class Members who were booked at the Shelby County Jail between November 1, 2016, and June 30, 2017 ("Mail Notice"). The parties agree that the potential Class Members who were booked during this time period include the vast majority, if not all, of the individuals who are likely to qualify as members of the Class. Mail Notice shall be made by postcard in a form substantially similar to Exhibit F, attached hereto. To alleviate any potential expungement-related privacy concerns, such Mail Notice will omit the detainee's name and be addressed only to "Current Occupant" or similarly anonymous designation. The address of each of these potential Class Members shall be determined by reference to an Excel spreadsheet report generated from data stored for each detainee in Shelby County's Odyssey system. The parties

acknowledge that this information was originally provided by the detainees themselves at the time of booking and may contain incomplete, incorrect and/or unverifiable information. If there is no complete address for a potential Class Member or the listed address contains deficiencies, then Mail Notice shall not be required, and neither the Administrator nor any Party shall have any obligation or duty to conduct further inquiry to identify a sufficient address for a potential Class Member. Instead, such individuals will receive notice by publication. In the event that any potential Class Members share an identical address, only one postcard shall be mailed to such address. In the event a postcard is returned to the Administrator as undeliverable, neither the Administrator nor any Party shall have any obligation or duty to conduct further inquiry to identify a sufficient address for any potential Class Member or attempt subsequent mailings.

3. In addition to the other forms of publication notice outlined in the Agreement and the Joint Motion for Preliminary Approval, publication of the Class Notice, as provided in Section 5.2 of the Agreement, shall be made in the Memphis Daily News and shall also be published by posting at the Shelby County Criminal Justice Center located at 201 Poplar Avenue, Memphis, Tennessee 38103. Shelby County will post two notices at 201 Poplar: one at the public entrance to the Shelby County Jail, and one on the wall next to the elevators on the main floor. The notices will be posted for 30 days following the Court's entry of an order approving the Joint Motion for Preliminary Approval. Shelby County will conduct weekly inspections during this time to ensure that the notices have not been removed and, if necessary, repost the notices. The parties acknowledge and agree that these measures are specifically tailored to provide Class Notice to both potential Class Members and local criminal defense attorneys, who in turn can be reasonably expected to pass such information along to current and former clients who may qualify for the Settlement Class.

4. The parties agree and acknowledge through their undersigned counsel that the modifications and additions outlined in paragraphs 1-3 above are to be considered binding and enforceable amendments to the Agreement.

5. In addition to the specific amendments above, Plaintiffs' counsel acknowledges the guidance provided by the Court at the July 9, 2021 hearing regarding Plaintiffs' fee application. In accordance with the Court's guidance, Plaintiffs will submit a fee application no later than 25 days before the Final Fairness Hearing that substantiates the fees and expenses requested by providing detailed information regarding the specific individuals who worked on this matter, their billable rates, the number of hours spent, and a general description of work done by individual. In addition, Plaintiffs will detail by category the expenses incurred in the prosecution of this matter.

Dated: July 23, 2021

Respectfully submitted,

s/ Holly Renken

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